

REMARKS

Claims 1-17 are pending.

I. The Allowable Subject Matter

Applicants wish to thank the Examiner for the indication of allowable subject matter.

II. The Objection to the Abstract

The abstract of the disclosure was objected to as being more than one paragraph in length.

The abstract has been amended to be less than 150 words in length. It is respectfully submitted that Applicant's abstract fully complies with 37 C.F.R. §1.72(b) and MPEP §608.01(b) and it is requested that the objection to the Abstract be reconsidered and withdrawn.

III. The Objections to Claim 1

Claim 1 is objected as containing "informalities." Specifically, the Examiner requests that in claim 1, line 3, the term "andz" should be changed to "and z".

Claim 1 has been amended to make the requested correction. It is respectfully submitted that Applicants' claims are clear and definite and it is requested that the objection to claim 1 be reconsidered and withdrawn.

IV. The Rejection Under 35 U.S.C. §103(a)

Claims 1-2, 4-5, 8-13 and 15 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kawakami (EP 1 103 829) in view of Lowe (4,902,112).

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Kawakami '829 in view of Lowe and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

First of all, Shojiro Kawakami, an inventor of the present application, is the same “Kawakami” as in Kawakami ‘829. Kawakami ‘829 does disclose periodical structure, and the pitch and the arranged structure of grooves could be changed. However, Kawakami ‘829 is directed to one dimensional Periodical structure. Thus, even if the polarizer disclosed by Kawakami ‘829 could have various pitch and arranged structure, the pitch and arranged structures must be the same for all of the region of one polarizer to keep “one dimensional periodical structure”. If there are some regions that have different pitch or different arranged structure from the other region, the polarizer is not one dimensional periodical structure. Thus, Kawakami ‘829 does not intend to make a polarizer which has some parts which have different pitch or different arranged structure from the other region, and have different directions of transparent axis.

Further, Lowe relates to a variable density light transmitting device with a plurality of light polarizing areas. The main uses listed in the “object of the invention” section of Lowe relate to eyewear. Kawakami ‘829 discloses polarizers for use as optical isolators, optical circulators, optical switches and as a substitute for conventional polarizers. A broad statement may be said that both references generally relate to polarizers. However, the materials used to create the polarization differ widely between the materials of Lowe and the materials of Kawakami. Applicants respectfully submit that it would not have been obvious to one skilled in the art to use the eyewear type variable density light transmitting devices of Lowe to modify the type of materials of Kawakami ‘829.

Therefore, even if the cited references are combined, it is respectfully submitted that the present invention would not have been selected and would not have been obvious to one of ordinary skill in the art.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-2, 4-5, 8-13 and 15 is neither taught by nor made obvious from the disclosures of Kawakami '829 in view of Lowe and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

V. Conclusion

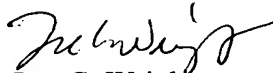
In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the objection to the claims and the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Amendment Under 37 C.F.R. §1.111
Application No. 10/537,314

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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